

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIV 09-1201 JAP/KBM

COPAR PUMICE COMPANY, INC., et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** came before the Court for a discovery conference on October 2, 2013. The presiding judge, The Honorable James A. Parker, excepted the matter from the district-wide stay applicable to civil cases in which the United States is a party for purposes of this previously-scheduled discovery conference.

Having heard the positions of counsel, the Court finds that holding an expert conference, with the participation of the Court, counsel, the parties' accounting experts, and the necessary accountants is more likely to facilitate an expeditious exchange of outstanding discovery information than formal discovery processes. As a result, the Court will hold an expert conference at the **Pete V. Domenici United States Courthouse, 5<sup>th</sup> Floor Cimarron Courtroom, 333 Lomas Blvd., Albuquerque, New Mexico** on **Friday, October 22, 2013**,

beginning at **9:00 a.m.** Counsel and participants should prepare themselves in advance in order to participate in the exchange of information. Counsel should

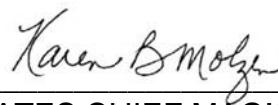
also be prepared to discuss the scheduling of outstanding depositions at the conference.

Additionally, the Court finds that an extension of the deadline for the United States' to serve its responses to Defendants' outstanding discovery requests, beyond the previously agreed to date of October 8, 2013, is warranted by the lapse in appropriations currently impacting the Department of Justice and the United States Attorney's Office.

**IT IS HEREBY ORDERED** that an expert conference will be held by the Court on October 22, 2013, and will include counsel, the parties' accounting experts, and the necessary accountants.

**IT IS FURTHER ORDERED** that the United States' deadline for providing discovery responses to Defendants' outstanding discovery requests is hereby extended until October 22, 2013, or until 14 days after the conclusion of the government shutdown, whichever comes first.

**IT IS FURTHER ORDERED** that a showing of good cause will be required to further extend the deadline for the United States to respond to Defendants' outstanding discovery requests.



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UNITED STATES CHIEF MAGISTRATE JUDGE